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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Warren Gibson,  
v.  
Plaintiff,  
Greg LeMond, et al.,  
Defendants.

NO. C 06-04220 JW

**ORDER RE: PARTIES' REQUEST FOR  
COURT-SELECTED ARBITRATOR OR  
ARBITRATION SERVICE; ORDER  
APPOINTING MR. GEORGE C. FISHER  
AS ARBITRATOR**

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Before the Court is the parties Stipulated Status Report and Request for Court-Selected Arbitrator or Arbitration Service. (See Docket Item No. 62.) For good cause, the Court adopts the parties' Proposed Order and orders as follows:

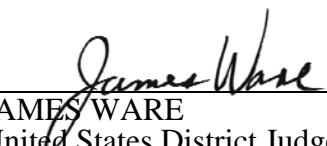
- (1) On **October 17, 2007**, each party shall file (via ECF) their preference in the selection of an arbitrator or arbitration service provider consistent with the Court's June 26, 2007 Order;
- (2) Three days after each party has made that selection known to the Court, each party will have an opportunity to address the other party's preference;
- (3) If there is no agreement after the party's submissions, the Court will pick an arbitrator or arbitration service provider either from the party's submissions or one independently to be chosen by the Court;
- (4) Each party shall schedule the arbitration within three weeks following the conclusion of the mediation now scheduled for October 30, 2007, if in event the mediation

1 proves to be unsuccessful. If an arbitration cannot be scheduled, the parties shall  
2 submit to the Court an Order seeking modification of this schedule.

3 Alternatively, the Court regularly appoints neutrals to assist the Court in alternative dispute  
4 resolution. Accordingly, the Court appoints **Mr. George C. Fisher**<sup>1</sup> as the arbitrator. Any  
5 objections to this appointment shall be filed concurrently with the parties' submission of their  
6 preferences on **October 17, 2007**. If no objection is filed by October 17, 2007, the parties shall  
7 contact Mr. Fisher pursuant to the schedule set forth in Item No. 4 above.

8 In light of this Order, the Court continues the Status Conference previously set for November  
9 19, 2007 to **December 10, 2007 at 10 AM**. The current STAY is extended to December 10, 2007.

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11 Dated: October 12, 2007

  
12 JAMES WARE  
13 United States District Judge

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27 <sup>1</sup> Mr. Fisher contact information is as follows: <http://www.gfisherlaw.com>;  
[georgecfisher@gmail.com](mailto:georgecfisher@gmail.com); 650 424 0821.

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Denise Suzanne Rahne [dsrahne@rkmc.com](mailto:dsrahne@rkmc.com)  
3 M. Jean Starcevich [jstarcevich@pacbell.net](mailto:jstarcevich@pacbell.net)  
3 M. Jean Starcevich [jstarcevich@pacbell.net](mailto:jstarcevich@pacbell.net)  
4 Michael A. Geibelson [mageibelson@rkmc.com](mailto:mageibelson@rkmc.com)  
4 Robert Myles Tobin [sjhlaw@aol.com](mailto:sjhlaw@aol.com)

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**Dated: October 12, 2007**

**Richard W. Wiking, Clerk**

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By: /s/JW Chambers

**Elizabeth Garcia  
Courtroom Deputy**